

Exhibit 8

Page 1	Page 3
UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS	9 NO. DESCRIPTION PAGE NO.
JOHN BRADLEY, Plaintiff, VS. Civil Action No. TIMOTHY J. CRUZ (Individually), 1:13-cv-12927 MICHAEL HORAN (Individually), FRANK J. MIDDLETON (Individually), and OFFICE OF THE DISTRICT ATTORNEY FOR PLYMOUTH COUNTY, Defendants.	10 5 Christine Kiggen Statement 22
	11 Bates-Stamped PLYDA_0005050
	12 6 December 30, 2010 E-Mail Chain 76
	13 Bates-Stamped PLYDA_0001037
	14 7 December 31, 2010 E-Mail Chain 76
	15 Bates-Stamped PLYDA_0001043
	16 8 January 5, 2011 E-Mail Chain 81
	17 Bates-Stamped PLYDA_0001041
	18 9 January 2011 E-Mail Chain 86
	19 Bates-Stamped PLYDA_0001031 through
	20 PLYDA_0001033
	21
	22
	23 (Original exhibits attached to original transcript.)
	24
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1 APPEARANCES OF COUNSEL	1 CHRISTINE KIGGEN
2	2 November 3, 2015
3 ON BEHALF OF THE PLAINTIFF:	3 PROCEEDINGS
4 ROBERT SINSHEIMER, ESQUIRE	4
5 WESLEY STOKER, ESQUIRE	5 CHRISTINE KIGGEN, the deponent, having been
6 Sinsheimer & Associates	6 satisfactorily identified and duly sworn by the
7 92 State Street	7 Notary Public, was examined and testified as
8 Boston, Massachusetts 02109	8 follows:
9 617.722.9954	9 EXAMINATION
10 rsinsheimer@sinsheimerlaw.com	10 BY MR. SINSHEIMER:
11 wstoker@sinsheimerlaw.com	11 Q. State your full name, please.
12	12 A. Christine Kiggen, K-I-G-G-E-N.
13 ON BEHALF OF THE DEFENDANTS:	13 Q. Ms. Kiggen, my name is Rob Sinsheimer.
14 BRET A. COHEN, ESQUIRE	14 I'm going to ask you some questions on behalf of
15 Mintz, Levin, Cohn, Ferris, Glovsky and	15 John Bradley in a civil lawsuit. Okay?
16 Popeo, P.C.	16 A. Yes.
17 One Financial Center	17 Q. I think you've probably been told that
18 Boston, Massachusetts 02111	18 we're going to try to complete this within two
19 617.542.6000	19 hours?
20 bcohen@mintz.com	20 A. Yes.
21	21 Q. As a result of that, some of the
22	22 questions may be very colloquial. Do not assume
23	23 they will take a form that you as a lawyer
24	24 anticipate is lawyering, if you will. Okay?

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1 Q. Do you have an understanding -- just yes
 2 or no for now -- as to why Mr. Bradley was fired?

3 A. Yes.

4 Q. Apart from -- I'm backing up a second.
 5 Excuse me.

6 You're represented today by Bret Cohen,
 7 Esquire sitting to your left?

8 A. Yes.

9 Q. And when did that representation
 10 commence?

11 A. I'm not -- I don't know the date.

12 Q. Within the last week?

13 A. I don't know when District Attorney Cruz
 14 retained Mr. Cohen.

15 Q. No. I'm talking about your personal
 16 representation. He became your lawyer within the
 17 last week, right?

18 A. I don't know him to be my lawyer. I know
 19 that he represents DA Cruz in the office.

20 MR. SINSHEIMER: Well, as a
 21 professional courtesy, in light of the
 22 attorney-client privilege, are you her lawyer today,
 23 sir?

24 MR. COHEN: Yes, I am.

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1 with my representation in this case in collecting
 2 information relative to this matter. Absolutely.

3 BY MR. SINSHEIMER:

4 Q. All right. So any question I ask you
 5 about information on what you learned, I want you to
 6 exclude information you learned exclusively from
 7 Mr. Cohen. At that initial interview -- just yes or
 8 no -- he wasn't providing the information to you.
 9 You guys were filling him in, right?

10 A. Correct.

11 Q. And then last week when it became clear
 12 to you that you were going to be a witness, you had
 13 a second meeting with him.

14 A. That's correct.

15 Q. And the first meeting you were not alone,
 16 correct? You were with a group? Just yes or no.

17 A. Yes.

18 Q. Did you ever witness with your own eyes
 19 Mr. Bradley being insubordinate in any way?

20 A. Yes.

21 Q. In what context?

22 A. When District Attorney Cruz called a
 23 meeting to address his policies, I saw John -- and
 24 attendance was mandatory -- I personally observed

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1 BY MR. SINSHEIMER:

2 Q. Would you accept that representation?

3 A. Yes.

4 Q. The reason -- let me put it right --
 5 we're all lawyers. Anything that you -- news or
 6 information you obtained from Mr. Cohen I'm going to
 7 respect as attorney-client privilege. And I want to
 8 make sure other information you heard, whether it be
 9 scuttlebutt, hearsay, rumor, gossip, if it didn't
 10 come from him, I'm entitled to, as long as it's
 11 relevant material. Okay?

12 A. Yes.

13 Q. When did you meet Mr. Cohen for the first
 14 time?

15 A. Last week. Strike that.

16 I met him maybe a year ago when he
 17 visited the DA's office.

18 MR. SINSHEIMER: Are you representing
 19 that's when --

20 MR. COHEN: Yeah. I did. I met
 21 her --

22 MR. SINSHEIMER: Yeah. But you met
 23 her --

24 MR. COHEN: I met her in connection

1 John Bradley standing outside the main library
 2 room -- most of the people were inside -- rolling
 3 his eyes at other assistant DAs.

4 Q. The library is a relatively small room,
 5 right?

6 A. Yes.

7 Q. It's hard for everybody to fit in there.

8 A. Yes.

9 Q. Every time there's an office meeting,
 10 usually there's a few people on the outside, right?

11 A. Yes.

12 Q. Did you say you saw him roll his eyes?

13 A. Yes.

14 Q. At whom?

15 A. At other staff.

16 Q. Who?

17 A. At other lawyers.

18 Q. Who?

19 A. Tara Cappola.

20 Q. Tara Cappola?

21 A. Yeah.

22 Q. Did she respond?

23 A. She was sitting next to me. That's what
 24 caught my eye. She was sitting next to me in the

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1 library with the bulk of the other people who
 2 attended that were sitting inside the library. And
 3 I was distracted by her eye-catch with Mr. Bradley,
 4 who was out in the hallway. When I looked in that
 5 direction, I specifically saw him rolling his eyes
 6 as if he were mocking the meeting the district
 7 attorney was holding.

8 Q. Okay. Any other times?

9 A. Disagreeing with charging decisions. I
 10 don't know if you call that insubordinate, but other
 11 than that, no.

12 Q. So -- well, I don't since you asked.

13 You've observed him in conferences where
 14 there's disagreement.

15 A. I've had conversation with him about a
 16 case where he criticized the charging decision, and
 17 I didn't ask him for his opinion on the charging
 18 decision. I asked him for some legal advice on a
 19 motor vehicle homicide case.

20 Q. Okay.

21 A. And he unsolicited told me that he
 22 thought the case was overcharged and that I better
 23 have my hard hat helmet on when I went next door to
 24 talk to the judge about the case.

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1 Q. Who was the judge?

2 A. I think it was Judge Ball.

3 Q. Ball?

4 A. I know it was Judge Ball.

5 Q. Ball? Carol Ball?

6 A. Carol Ball.

7 Q. Have you ever spoken to Judge Ball about
 8 Mr. Cruz and his reputation?

9 A. No.

10 Q. Have you ever spoken to Judge Ball about
 11 anything other than cases?

12 A. No.

13 Q. Have you contributed funds to Mr. Cruz's
 14 campaigns?

15 A. Yes.

16 Q. And how often have you done so?

17 A. Define "how often." Each year or --

18 Q. I'm asking you --

19 A. I can't answer that.

20 Q. Is it annually?

21 A. Yes.

22 Q. In or around the year 2010, were you
 23 aware that there was schism of sort in the office
 24 between two different groups?

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1 A. I became aware of it, yes.

2 Q. When did you become aware of it?

3 A. In December 2010.

4 Q. How did you become aware of it?

5 A. The assistant district attorney Kristen
 6 Freeman.

7 Q. What did she tell you?

8 A. She told me there was a small group of
 9 assistant district attorneys who wanted to wait till
 10 Frank Middleton, first assistant, went on vacation
 11 so that they could approach the district attorney
 12 and complain.

13 Q. And did she tell you who they were?

14 A. Yes.

15 Q. Who did she say they were?

16 A. She said they were Lew Armistead, Dan
 17 Hourihan, Tara Cappola, Karen O'Sullivan, and John
 18 Bradley.

19 Q. Those five.

20 A. Yes.

21 Q. And you're pretty confident in your
 22 memory there.

23 A. Yes.

24 Q. Are any of those five still with the

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1 office?

2 A. No.

3 Q. Do you know why Lew Armistead left?

4 A. He retired.

5 Q. And what were the other names again?

6 A. Tara Cappola.

7 Q. Why did she leave?

8 A. She went on to private practice.

9 Q. And obviously we know why John Bradley
 10 left, correct?

11 A. Correct.

12 Q. How about Karen O'Sullivan?

13 A. She went to the Bristol County DA's
 14 office.

15 Q. Do you know why she was looking for work
 16 elsewhere?

17 A. I believe she was unhappy for a very long
 18 time.

19 Q. And do you know why she was unhappy?

20 A. She didn't get along with Frank
 21 Middleton.

22 Q. Do you understand she alleged Frank
 23 Middleton was rude to the point when she saw him in
 24 the hall it looked like he was going to fight with

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<p>1 Q. And the next thing down there, "There 2 were no examples of going to FM and not being 3 supported." What does that mean?</p> <p>4 A. I asked them, "Why don't you go" -- I 5 asked Karen -- I didn't ask anyone except Karen -- 6 "Why don't you go to Frank first and give him an 7 opportunity?" And that's when I offered to be part 8 of that, if that would help her and feel more 9 comfortable. And "Have you ever tried to go to 10 Frank and not got support?" And she indicated no. 11 So that would be what I meant by that.</p> <p>12 Q. So your view of all this, as far as 13 Ms. O'Sullivan, is Ms. O'Sullivan has been unfair to 14 Frank Middleton.</p> <p>15 A. She was taken advantage of by John 16 Bradley and used as a ploy to suit his agenda. Yes, 17 I do.</p> <p>18 Q. You think that?</p> <p>19 A. Yes, I do.</p> <p>20 Q. And now she's the first assistant in 21 Bristol, right?</p> <p>22 A. She's one of the first assistants there.</p> <p>23 Q. And John is trying homicide cases out in 24 Worcester, right?</p>	<p>1 A. Yes.</p> <p>2 Q. And when did Bridget come to the office?</p> <p>3 A. She was there before me too.</p> <p>4 Q. So you became close to both of them?</p> <p>5 A. I was friendly with both of them in my 6 early years. Bridget and I were assigned to a 7 district court session together, so I got to know 8 her well. Attended some parties at their house in 9 the early days. Then didn't really have any close 10 relationship with them but was always friendly with 11 them when I saw them until more recently. Past -- 12 well, I said "more recently." In the past ten years 13 once I came back up to superior court.</p> <p>14 Q. You got close to them again?</p> <p>15 A. I got to know them more because I was 16 physically -- the physical proximity. I was in the 17 same building as them. I got to see them more 18 and -- yes.</p> <p>19 Q. Do you consider them good friends now?</p> <p>20 A. I consider them friends, yes.</p> <p>21 Q. Have you ever talked to either -- before 22 you became a -- before it was known that you were 23 going to be subpoenaed, did you ever tell them that 24 you believed that Karen O'Sullivan was used by John</p>
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<p>1 A. I don't know that. I know he's in 2 Worcester County, and he had that baby house of 3 squalor case is what I know. That's what I know. I 4 don't know if that's charges of homicide.</p> <p>5 Q. You don't?</p> <p>6 A. No. I thought that they were having some 7 trouble trying to come up with a homicide charge. I 8 haven't followed it, though.</p> <p>9 Q. And Frank's in the private sector.</p> <p>10 A. Yes.</p> <p>11 Q. Because he wants to be, you think?</p> <p>12 MR. COHEN: Objection.</p> <p>13 A. Yes. Frank would often say, "When I'm 14 off in private practice some day..." there are 15 several people that heard him say that, and they 16 commented. So once -- it was clear he was going to 17 be opening his own office.</p> <p>18 Q. When did you first meet Frank Middleton?</p> <p>19 A. 1995 maybe.</p> <p>20 Q. In what context?</p> <p>21 A. Associates. Colleagues.</p> <p>22 Q. Working together?</p> <p>23 A. Assistant DAs. Um-hum.</p> <p>24 Q. And was he more senior than you?</p>	<p>1 Bradley?</p> <p>2 A. Absolutely. I told them that from the 3 get-go.</p> <p>4 Q. And you've also known Karen pretty well, 5 right?</p> <p>6 A. Yes, I have.</p> <p>7 Q. You know her to be a pretty independent 8 woman, right?</p> <p>9 A. Yes.</p> <p>10 Q. You know her to be a very talented trial 11 lawyer, right?</p> <p>12 A. Yes.</p> <p>13 Q. You know her to be comfortable in her 14 domestic life, right?</p> <p>15 MR. COHEN: Objection.</p> <p>16 Go ahead.</p> <p>17 A. Yes. As far as I know.</p> <p>18 Q. You know her to be self-assured, right?</p> <p>19 A. Yes.</p> <p>20 Q. You know her to be strongly in favor of 21 women's empowerment?</p> <p>22 A. Yes.</p> <p>23 Q. So how can you say that John Bradley used 24 her?</p>

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1 A. John Bradley saw an opportunity -- when
 2 he saw that Karen was frustrated in the office, saw
 3 an opportunity to use someone who had some
 4 credibility, which he did not have, to support his
 5 cause. And I told her that in December 2010 until
 6 the last time I talked to her.

7 Q. Why didn't John have credibility? I
 8 don't understand that at all.

9 A. Because John sat in his office and didn't
 10 communicate with anybody on a daily basis. John
 11 tried very few cases toward the end of his career.
 12 It was clear that John didn't support the district
 13 attorney. It was gossip that John didn't speak to
 14 the district attorney or the first assistant. And
 15 people often wondered why he stayed when he was so
 16 unhappy.

17 Q. It never occurred to you that Frank froze
 18 him out?

19 A. Never occurred to me.

20 Q. John went to the United States Attorney's
 21 Office, right?

22 A. Yes, he did.

23 Q. He went with Mike Sullivan, right?

24 A. Um-hum. Yes.

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1 Q. There was a lot of competition among the
 2 folks to be among the select few that Mike was going
 3 to take into Boston, right?

4 A. I don't know that. He took a lot of
 5 them. I don't know about the competition. I don't
 6 know of anyone who tried to go there and didn't go.
 7 There were a lot of people who wound up going with
 8 him.

9 Q. Who?

10 A. Suzanne Sullivan, Dave Tobin, Glen
 11 MacKinlay, Frank Gaziano, Bill Connolly --

12 Q. They didn't --

13 A. Kim --

14 Q. -- all go just at once.

15 A. Excuse me?

16 Q. They didn't all go at once, did they?

17 A. They didn't, no.

18 Q. You can't come into the U.S. Attorney's
 19 Office and put five new people in day one, right?

20 A. Correct.

21 Q. Have you ever worked in the U.S.
 22 Attorney's Office?

23 A. I have not.

24 Q. Have you ever appeared in federal court?

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1 A. No, I have not.

2 Q. It was known in the Plymouth County DA's
 3 Office to be a Plymouth County district attorney and
 4 be selected by Mike Sullivan to come up and try
 5 cases in the United States District Court would be a
 6 plum, right?

7 A. Would be what? I'm sorry.

8 Q. A plum. Would be something you would be
 9 proud of?

10 A. Yes.

11 Q. People wanted it, right?

12 A. Select people, yes.

13 Q. People talked about it regularly, right?

14 A. I didn't hear anybody talk about it. I
 15 heard that they went. To be clear, I wasn't in the
 16 superior court at the time it happened. I was in
 17 the district court.

18 Q. I was about to ask you that. You were
 19 still in district court.

20 A. Yes.

21 Q. So without denigrating, you were just
 22 further down the --

23 A. Yes.

24 Q. -- the hierarchy.

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1 A. Absolutely.

2 Q. You weren't going to the U.S. Attorney's
 3 Office at that stage in your career no matter --

4 A. Nor was I -- no. And nor was I privy to
 5 the folks that were having conversations that wanted
 6 to go.

7 Q. But you didn't hear the talk that this is
 8 a really big deal; it's an almost unheard of career
 9 opportunity down in Plymouth County to get to go to
 10 Boston and work in the United States Attorney's
 11 Office?

12 A. I never heard it expressed that way.

13 Q. Never heard it that way?

14 A. Never heard it expressed that way, no.

15 Q. Frank Gaziano is a judge now, right?

16 A. Correct.

17 Q. And Dave Tobin is still in the United
 18 States Attorney's Office.

19 A. Yes, he is.

20 Q. And John Bradley is a homicide prosecutor
 21 in Worcester County.

22 A. Yes.

23 Q. Do you know where the others are?

24 A. Glen MacKinlay is still there.